GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO:2511
ANSWERED ON:17.03.2008
COMPENSATION AND PENSION BENEFITS TO DAILY WAGE WORKERS
Gandhi Smt. Maneka

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether the Labour Welfare Board rules envisage that once the death is established of a daily wage earner, the contractor is supposed to pay a suitable compensation and pension benefits to the victim's family;

(b) if so, the details thereof;

(c) whether the Government has formulated any scheme to inform the workers about their rights under the rules particularly in case of casualty; and

(d) if so, the details thereof?

Answer

MINISTER OF THE STATE (INDEPENDENT CHARGE) IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI OSCAR FERNANDES)

(a): There are the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 including theEmployees' Pension Scheme, 1995 (in the specified establishments and employing 20 or more persons)and The Workmen's Compensation Act, 1923 (for persons employed in factories, mines, plantations,mechanically propelled vehicles, construction works and certain other hazardous occupations) forthe social and economic security of the workers.
There is no distinction between a regular and a casual worker under both the Acts. However in theContract Labour (Regulation & Abolition) Act, 1970 there is no provision for any compensation tothe victims of the family in case of death of the former.

(b): The Employees' Provident Fund and Miscellaneous Provisions Act, 1952 aims at providing socialand economic security to industrial and other workers covered under the Act and their dependents incasse of their premature death.
Under the said Act the Employees' Pension Scheme, 1995 provides for pensionary benefits to thevictims family. The Workmen's Compensation Act, 1923 provides for payment of compensation toworkmen and their dependents in case of injury and accident (including certain occupational disease)arising out of and in the course of employment and resulting in disablement or death. The Actapplies to railway servants and persons employed in any such capacity including persons employedin factories, mines, plantations, mechanically propelled vehicles, construction works and certain other hazardous occupations. Minimum rates of compensation for permanent total disablement anddeath have been fixed at Rs.90,000/- and Rs. 80,000/- respectively.Maximum amount for death andpermanent total disablement can go up to Rs. 4.56 lakh and Rs. 5.48 lakh respectively dependingon age and wages of workmen.

(c) & (d): Though there is no specific scheme to inform the workers, there are various tripartitefora through which such messages are discussed and disseminated.